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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/711,961	09/06/1996	ARTHUR A. BRANSTROM	003/030/SAP	9506

7590 09/24/2003

MCMR-JA (JOHN MORAN)
US ARMY MEDICAL RESEARCH
AND MATERIEL COMMAND
FORT DETRICK
FREDERICK, MD 217025012

EXAMINER

YUCEL, IREM

ART UNIT PAPER NUMBER

1636

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT	PAPER
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29

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Commissioner for Patents

The amendment filed July 30, 2003, in response to the decision by the Board of Patent Appeals and Interferences mailed May 30, 2003 has been entered in part. Specifically, claims 45-55 have been cancelled and new claims 56, 57, 59-62 and 64-66 have been entered. Newly submitted claims 58 and 63 have not been entered as they are drawn to subject matter not considered on appeal and not addressed by the new grounds of rejection set forth under 37 CFR 1.196(b). Furthermore, the subject matter that these claims attempt to introduce has not been subject to examination to this point, and raises significant new issues of patentability.

The newly submitted claims that have been entered overcome the grounds of rejection under 37 CFR 1.196(b).

The newly submitted claims remain subject to the Obviousness-type Double Patenting rejection that was affirmed by the Board of Appeals. Because applicant's amendment failed to overcome the ODP rejection and applicant has not timely filed a terminal disclaimer, the application is being returned to the Board of Patent Appeals and Interferences so that a decision making the original affirmance final can be entered.

No response to this communication is required, and no period for response is started by this communication.

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